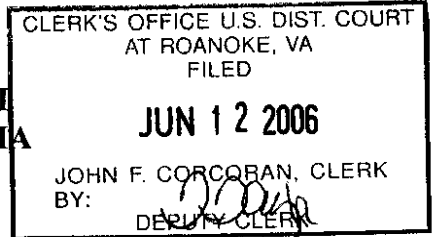


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



HASTON RICHARD MONROE, JR.,)
Plaintiff,)

Civil Action No. 7:05-cv-00288

v.)

ORDER

SUSAN FLETCHER,)
FLOYDE G. AYLOR,)
AND G. WAYNE PIKE,)
Defendants.)

By: Hon. James C. Turk
Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED AND ORDERED

as follows:

1. Defendant Marshal Pike's motion to dismiss, pursuant to Fed. R. Civ. P. 12(b)(1) and (12(b)(6), is hereby **DENIED**, and this defendant is **DIRECTED** to submit an answer and a motion for summary judgment, supported with affidavits, within twenty (20) days from the entry of this order;⁷ and
2. The motion for summary judgment filed by defendants Fletcher and Aylor is hereby **DENIED**, and these defendants are **DIRECTED** to file an answer within twenty (20) days from the entry of this order.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to plaintiff and to counsel of record for the defendants.

ENTER: This 12th day of June, 2006.



Senior United States District Judge

⁷The parties are hereby advised that pursuant to Rule 83(b) of the Federal Rules of Civil Procedure and the Standing Order of the Court issued May 3, 1996, the court may order defendants in a prisoner civil rights action to file a motion for summary judgment supported by affidavits.